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September 27, 2005

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Art Unit 2638

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 09/844,296; Filed: April 30, 2001

Timing Recovery and Phase Tracking System and Method

Inventors:

BUCHWALD et al.

Our Ref:

1875.0560002

Sir:

Transmitted herewith for appropriate action is the following document:

- 1. Credit Card Payment Form (PTO-2038);
- 2. Issue Fee Transmittal Form (PTOL-85);
- 3. Comments on Statement of Reasons for Allowance and Request for References to be Made of Record; and
- 4. One (1) return postcard

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

erne, Kessler, Goldstein & Fox p.l.l.c.

Patrick E. Garrett

Attorney for Applicants Registration No. 39,987

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In re application of:

BUCHWALD et al.

Appl. No.: 09/844,296

Filed: April 30, 2001

For:

Timing Recovery and Phase Tracking System and Method

Confirmation No.: 1034

Art Unit: 2638

Examiner: Perilla, Jason M.

Atty. Docket: 1875.0560002

## Comments on Statement of Reasons for Allowance and Request for References to be Made of Record

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants thank the Examiner for indicating the allowability of claims 1-7, 9-14, 16-20, 22-25 and 27-36 in the Notice of Allowance dated August 2, 2005.

## Comments on Statement of Reasons for Allowance

Applicants note the Examiner's Statement of Reasons for Allowance presented on page 3 of the Notice of Allowance. Applicants reserve the right to demonstrate claims 1-7, 9-14, 16-20, 22-25 and 27-36 are allowable over the art made of record for further reasons related to any of their recited features. Applicants further contend that reservation of this right does not give rise to any implication regarding whether the Applicants agree with or acquiesce in the reasoning provided by the Examiner.

## Request for References to be Made of Record

Applicants respectfully request the Examiner acknowledge receipt and consideration of the Information Disclosure Statement (Second Supplemental IDS) filed on February 28, 2005 to ensure the references submitted are made of record.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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